

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAMONA WRIGHT,

Plaintiff,

-against-

THE CITY OF NEW YORK, SERGEANT JOHN
DOE AND POLICE OFFICERS JOHN AND JANE
DOES 1 – 4,

Defendants.
-----X

CIVIL ACTION

VERIFIED COMPLAINT

JURY TRIAL DEMANDED

Index No. CV 15-4499

Plaintiff, by her attorney, Anthony Michaels, as and for her complaint hereby alleges as follows:

Parties

1. Plaintiff RAMONA WRIGHT presently resides and is domiciled in the State of New York.

2. Upon information and belief defendant the CITY OF NEW YORK (hereinafter “City”) is a municipal corporation domiciled in the State of New York.

3. Upon information and belief, defendant SERGEANT JOHN DOE resides and is domiciled in the State of New York.

4. Upon information and belief, defendants POLICE OFFICERS JOHN AND JANE DOES 1 – 4 (hereinafter “John and Jane Does”) reside and are domiciled in the State of New York.

Jurisdiction -Venue

5. This action is brought pursuant to 42 U.S.C. §1983 and the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution and the Constitution and

laws of the State of New York. This Court has subject matter jurisdiction over the federal claims pursuant to 28 U.S.C. §1331 and §1343(a)(3)(4).

6. Venue on this action lies in the Southern District of New York pursuant to 28 U.S.C. §1391 as the events giving rise to this action occurred in the Southern District.

General Allegations of Fact

7. Plaintiff RAMONA WRIGHT presently resides at 1853 Anthony Avenue, Apt. 8B, Bronx, NY 10457 and resided at that address on the day in question.

8. At all times relevant hereto, the City maintained, controlled and operated the New York City Police Department which is empowered under the laws of the State and City of New York to prevent, respond to and investigate crimes.

9. Upon information and belief, at all times relevant hereto, SERGEANT JOHN DOE was employed by the New York City Police Department. As such, SERGEANT JOHN DOE possessed the authority under the color of law to make arrests and investigate crimes committed in the City of New York.

10. Upon information and belief, at all times relevant hereto, OFFICERS JOHN AND JANE DOES 1 - 4 were employed by the New York City Police Department as police officers. As such, OFFICERS JOHN AND JANE DOES 1 - 4 possessed the authority under the color of law to make arrests and investigate crimes committed in the City of New York.

11. On January 8, 2015 plaintiff was lawfully in the Simpson Street train station located at the intersection of Simpson Street and Westchester Avenue, Bronx, New York, 10459 when SERGEANT JOHN DOE and POLICE OFFICERS JOHN AND JANE DOES 1 - 4 unlawfully took her into custody for her alleged involvement in criminal activity not revealed to

her at the time of her arrest. Plaintiff asked why she was being arrested and was harshly rebuffed.

12. The Sergeant wanted to know where she was coming from and repeatedly asked her if she had anything on her person. Plaintiff repeatedly requested the Officers to identify themselves. Thereafter, Plaintiff was searched in a public area of the train station in the presence of numerous other riders. Defendants also searched her pocketbook at the station.

13. Defendants placed Plaintiff, rear handcuffed, in an unmarked vehicle until she was transported to the 41st Precinct that was controlled and operated by defendants. In the course of that transport, Defendants refused to identify themselves to Plaintiff nor did they indicate why she was being taken into custody.

14. Plaintiff was charged under Bronx County Summons No.: 4336816475 with one count of Criminal Trespass, NYS Penal Law §140. Plaintiff was released at approximately 6:15 p.m. on January 8, 2015.

15. Thereafter, Plaintiff and counsel attended the Bronx County Criminal Court pertaining to Bronx County Summons No.: 4336816475. On March 16, 2015, the case was never docketed and Plaintiff was informed she did not have to return to court.

FIRST CAUSE OF ACTION
VIOLATION OF CONSTITUTIONAL RIGHTS PURSUANT TO 42 U.S.C. §1983

16. Plaintiff repeats, re-alleges and incorporates herein by reference the allegations contained in paragraphs 1 through 15.

17. At all times pertinent hereto the defendants acted under color of law in connection with their false arrest and imprisonment of Plaintiff.

18. That on January 8, 2015 the defendants wrongfully seized, detained, searched, arrested and imprisoned plaintiff in violation of her constitutional rights including, but not limited to, violation of the Fourth, Fifth, Eighth and Fourteenth Amendments to the United States Constitution in violation of her rights secured by the Constitution and laws of the State of New York. That on January 8, 2015 Defendant City of New York had customs, policies and practices in place that allowed for the aforementioned actions and inactions.

GENERAL DAMAGE

19. Plaintiff repeats, re-alleges and incorporates herein by reference the allegations contained in paragraphs 1 through 18.

20. As a result of the actions and inactions of the Defendants set forth herein, the plaintiff was caused to incur a violation of her civil and constitutional rights.

21. As a result of the actions of the defendants set forth herein, the plaintiff was caused to experience pain and suffering as well as sustain shock, embarrassment, humiliation, and fear that prevents the plaintiff from engaging in and enjoying ordinary daily activities, nervousness, anxiety and stress. As such, the plaintiff seeks damages in the amount of seventy five thousand dollars (\$75,000).

22. This action falls within one of the exceptions set forth in C.P.L.R. Article 16.

PUNITIVE DAMAGES

23. Plaintiff repeats, re-alleges and incorporates herein by reference the allegations contained in paragraphs 1 through 22.

24. The defendants actions as set forth herein rise to a level of wanton, reckless, malicious and intentional disregard of the plaintiffs civil and constitutional rights and as such the plaintiff herein requests that this court impose punitive damages as a result of said actions.

SPECIAL DAMAGES

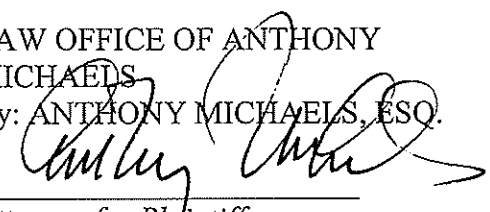
25. Plaintiff repeats, re-alleges and incorporates herein by reference the allegations contained in paragraphs 1 through 24.

26. Plaintiff seeks to recover reasonable attorneys fees and costs associated with the prosecution of this civil action pursuant to 42 U.S.C. § 1988.

WHEREFORE, plaintiff demands judgment against the defendants for the amount in excess of the jurisdictional limits of the Court together with attorney's fees, interest, costs, and such other relief as the court may deem appropriate.

Dated: New York, NY
May 15, 2015

LAW OFFICE OF ANTHONY
MICHAELS
By: ANTHONY MICHAELS, ESQ.



Attorney for Plaintiff
325 Broadway, Suite 404
New York, NY 10007
(212) 577-2525

VERIFICATION

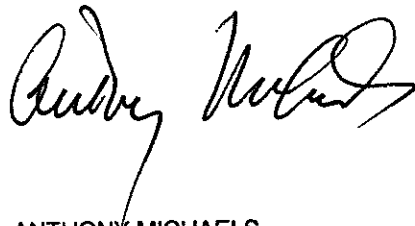
STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

RAMONA WRIGHT, being duly sworn, deposes and says that deponent is the Plaintiff in the instant action and has read said Verified Complaint and that the contents of said Verified Complaint subscribed are true to the knowledge of deponent, except as to those matters stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.



RAMONA WRIGHT

Sworn to before me this
29th day of May, 2015



ANTHONY MICHAELS
Notary Public, State of New York
No. 02M2688225
Qualified in New York County
Commission Expires Nov. 30, 2017

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAMONA WRIGHT,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE OFFICER
LOHER, SERGEANT JOHN DOE AND POLICE
OFFICERS JOHN AND JANE DOES 1 – 3,

Defendants.
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SUMMONS & VERIFIED COMPLAINT

LAW OFFICE OF ANTHONY MICHAELS
325 Broadway, Suite 404
New York, NY 10007
(212) 577-2525

The undersigned, an attorney admitted to practice in the courts of the State of New York, certifies that,
upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: May 15, 2015



Anthony Michaels

Service of the within is hereby admitted
Dated:

Attorney(s) for